

Read  
22 March  
1742

A BILL for making the Town of Stowerbridge, in the County of Worcester, a separate Parish from the Parish of Old Swinford, in the said County; and for making a Provision for the Minister of the said new Parish; and for settling the Right of Presentation to the Church thereof.



Whereas the Town of Stowerbridge, in the Parish of Old Swinford, in the County of Worcester, is a large and populous Market-town, inhabited chiefly by Persons employed in the Woollen, Iron, and Glass Manufactures, carried on in the said Town and Parish:

And whereas the Parish Church of Old Swinford is a Mile distant from the Town of Stowerbridge, and is not capable of containing half of the Inhabitants of the said Parish for the attending and hearing Divine Service therein:

And whereas by the voluntary Contributions of several Inhabitants of the said Town and Parish, and of other Persons charitably disposed, residing in that Neighbourhood, a Church hath been lately built in the said Town of Stowerbridge, in which Divine Service is performed according to the Usage of the Church of England:

And whereas the Right Honourable Thomas Lord Foley is Lord of the Manor of Stowerbridge, and Patron of the Rectory of the Parish Church of Old Swinford; and George Wigan, Clerk, is Rector of the same Parish Church:

And whereas the Inhabitants of the Town and Township of Stowerbridge aforesaid, have, for several Years last past, maintained the Poor of the said Township by a separate and distinct Levy and Assessment, which hath been charged and assessed upon the Inhabitants of the said Township only, and exclusive of the rest of the Parishioners of the Parish of Old Swinford aforesaid, and collected, applied, and distributed by different and distinct Overseers:

And whereas the said Thomas Lord Foley the Patron, and the said George Wigan, the Rector of the Parish Church of Old Swinford, and the principal Freeholders and Inhabitants within the said Manor and Township of Stowerbridge, are willing and desirous, that the said new Church so erected and built in the Town of Stowerbridge, may be made and constituted a Parish Church, and the said Town and Township of Stowerbridge, a separate and distinct Parish from the rest of the Parish of Old Swinford aforesaid, and annexed to, and be deemed as the Parish belonging to the said Church of Stowerbridge, and that a competent Provision may be made for the Maintenance and Support of the Minister of the said new intended Parish Church



for the Time being, and that the Right of Presentation to the said Church may be settled and established :

Wherefore, for the effecting and accomplishing the pious and charitable Purposes afore-mentioned,

*May it please Your Most Excellent MAJESTY,*

That it may be Enacted; And be it Enacted, by the KING's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said new Church so erected and built in the said Town of *Stowerbridge* afore said, shall, immediately after the same shall be consecrated, be, and be called, deemed and taken to be a Parish Church, and a perpetual Rectory, Cure and Benefice, by the Name of the Parish Church of *Saint* in *Stowerbridge*, in the County of *Worcester*; and that all the Messuages, Lands, Grounds and Tenements situate, lying and being, and comprised within the Town and Township of *Stowerbridge* afore said, shall be, and for ever hereafter be deemed to be, the Parish belonging to the same Church.

And it is hereby further Enacted, That shall be, and is hereby declared, appointed and established to be the First Rector of the said new Church; and the said Rector shall be, and is hereby, incorporated and made one Body Politick and Corporate, by the Name of the Rector of the Parish Church of in the Town of *Stowerbridge*, in the County of *Worcester*, and shall have perpetual Succession, and be enabled to sue and be sued by that Name in all Courts of this Realm; and the said new Church, and the Church-yard or Cemetery inclosed and belonging to the same, shall be, and is hereby, vested in the said and his Successors, Rectors of the said Church of in the Town of *Stowerbridge*, in the County of *Worcester*, for ever; and that the Rector and Rectors of the said Church for the Time being shall have Capacity, and they are hereby authorized and enabled, to purchase and take in Perpetuity, to them and their Successors, any other Lands, Tenements and Hereditaments, not exceeding in the Whole the yearly Value of the Statute of *Mortmain*, or any other Law or Statute whatsoever to the contrary notwithstanding.

And it is hereby further Enacted, by the Authority afore said, That after the Death, Resignation, Deprivation or Cession of the said hereby nominated and appointed to be Rector of the said new Church as afore said, all the succeeding Rectors of the same Church shall be nominated by the said *Thomas Lord Foley*, or his Heirs or Assigns; and the perpetual Advowson, Right of Patronage and Presentation of, in and to the Rectory of the said Church, shall be vested in and settled upon, and the same is hereby vested in and settled upon, the said *Thomas Lord Foley*, his Heirs and Assigns, for ever.

And it is hereby further Enacted, That shall be, and is hereby nominated and appointed the First Parish Clerk of the said new Church; and that after the Death, Deprivation or Resignation of the said or his ceasing to be Parish Clerk of the said Church, all the succeeding Parish Clerks of the same Church shall be nominated and appointed by the Rector of the said Church for the Time being.

And





And it is hereby further Enacted, That the Churchwardens of the said Church shall be nominated and appointed in such manner as the Churchwardens of the said Parish Church of *Old Swinford* are usually nominated and appointed.

And, for the making a competent Provision for the Maintenance and Support of the Rector of the said new Church for, the Time being, and other Purposes herein after-mentioned,

together with the Rector of the said new Church for the Time being, shall and are hereby appointed Commissioners and Trustees for executing the Powers and Authorities of this present Act, for the Ends, Intents, and Purposes herein after-mentioned.

And it is hereby Enacted, That it shall and may be lawful to and for the said Commissioners and Trustees, or any one or more of them, from time to time, as often as they shall think fit, to assemble and meet together, for the Execution of any of the Powers and Authorities vested in them by this Act (publick Notice being first given of the Time and Place of every Meeting of the said Commissioners and Trustees, on the *Sunday* next before such Meeting, immediately after Divine Service); and that it shall and may be lawful to and for the said Commissioners and Trustees, or any one or more of them, so assembled as aforesaid, by Writing, under their Hands and Seals, to assign and allot unto any Person or Persons residing or inhabiting within the said new Parish of *Stowerbridge*, or to any Person or Persons who have respectively contributed, or shall hereafter contribute, the sum of *£* or upwards, to the building and finishing, and decorating the said new Church, or the Tower or Steeple thereof, any Pew, Seat, Place or Kneeling in the same Church, from time to time, until all the Pews, Seats and Kneelings in the said Church shall be once assigned, allotted and disposed of; so as in the Distribution, Allotment and Disposition of the said Pews, Seats and Kneelings, the Option of, and Preference to, the best Pews, Places and Kneelings, be first made and given to such Persons as shall have so contributed as aforesaid, to the building, finishing and decorating the said Church, Tower and Steeple; and afterwards, to the other Inhabitants of the said new intended Parish, with regard and in proportion to the Rents of their respective Houses in the said new Parish, or as near as the same, in the Judgment of the said Commissioners or Trustees, or any one of them, can conveniently be done.

And it is hereby Enacted, That it shall and may be lawful to and for the Rector of the said new Church for the Time being, by Indenture or Indentures under his Hand and Seal, to demise, lease, and set the Pews, Seats



Seats and Kneelings erected, or to be erected, in the said new Church, any Place, Seat or Kneeling within the same respectively, unto the Person or Persons respectively to whom the same shall be so assigned and allotted as aforesaid, in manner following; that is to say, To such of the as shall have been Contributors as aforesaid, for any Term or Number Years, not exceeding Years in Possession, and not in Reversion and to the others of them for any Term, not exceeding Years Possession, and not in Reversion, in case the respective Lessee or Lessees shall so long live and reside in the said Town or Township of Stowerbridge; and also by Parol, to let and demise the same Pews, Seats and Kneelings to any Person or Persons so there residing as aforesaid, for or any shorter Term, so as the Rents reserved upon such Leases made payable to the said Rector, and his Successors; and so as there not, upon granting any such Lease, or in Consideration thereof, had, received or taken, any Fine, *Premium* or Foregift, and so as the Rent and Rents to reserved upon such Lease and Leases do not exceed the yearly Sum of

Sum of for any one Place or Kneeling in the best Pews; or the year of the said Church; and in the like Proportion for a greater Number Places, Seats or Kneelings; and so as in every of the said Leases to made by Deed in Writing, there be contained a Proviso or Condition That in case the Rent thereby reserved shall be behind and unpaid for

Days next after the Days or Times thereby limited or appointed for Payment thereof, or in case the Lessee shall assign or dispose of such Pew Places or Kneelings, to any other Person or Persons, for any Part of the Term by such Lease to be granted, at any greater or higher Rent than the Rent reserved by such Lease, or shall take a Fine in lieu of such improved or increased Rent, or shall assign or dispose of his whole Term and Interest in such Pew, Place or Kneeling, to any Person or Persons, (other than and except his Wife, Child or Children) without the Licence of the Rector of the said new Church for the Time being, under his Hand and Seal first had and obtained; then and from thenceforth, in any of the said Cases, such Lease shall cease, determine and be, *ipso facto*, void.

And it is hereby further Enacted, Provided and Declared, That in case any Lessee of any of the said Pews, Places or Kneelings residing in the said new intended Parish shall happen to die, before the Term or Terms for Years in such Leases respectively to be granted shall expire by Effluxion of Time; then, and in such Case, it shall and may be lawful to and for the said Rector of the said new Church for the Time being, at the Request of the Executors, or other legal Representatives, of such Lessee so dying, to grant, demise and confirm such Pew, Seat, Place or Kneeling, to such Executor, or other Representative of the Person so dying, for so many Years of the Term granted to him, her or them, as shall then remain unexpired, in case such Executor, or other Representative, shall so long live and reside in the said Town and Township of Stowerbridge.

And it is hereby further Enacted, by the Authority aforesaid, That the said Commissioners and Trustees, or any or more of them, shall and may, and they are hereby authorized and required, on or before the Day of

by Writing under their Hands and Seals, to assign, set out and allot, and afterwards cause to be inclosed, at the Expence of the Inhabitants and Land-owners of and in the said new intended Parish of Stowerbridge



to be raised by such Ways and Means, and in such Manner, as the Commissioners and Trustees, or any or more of them, shall, Writing under their Hands and Seals, order, direct or appoint, All that Parcel of Common Ground, called the *Short Heath*, situate, lying being in the Township of *Stowerbridge* aforesaid, and containing by Acres; and in case the same shall not be sufficient for the Purposes herein after-mentioned, then so much and such Part of Common lying near the said Town of *Stowerbridge* aforesaid, on the South Side of a Pool, called the *Gigmill Pool*, as, together with the *Short* aforesaid, will, when the same are set out and inclosed, be of the yearly Value of above all Reprizes.

And it is hereby Enacted and Declared, That the said Land or Ground, when so assigned, set out, allotted and inclosed, shall be, and is hereby

vested in their Heirs, To the Use of them and their Heirs, In Trust nevertheless, that they, or the Survivor of them, or the Heirs of such Survivor, shall do well and sufficiently convey and assure the same Lands and Premises, with their and every of their Appurtenances, except Mines of Coal and Lead, Liberty to dig for, get and carry away the same, which shall be, and hereby, reserved to the Lord of the Manor of *Stowerbridge* for the time being, unto and to the Use of the then Rector of the said new Church, his Successors, Rectors of the same Church, for ever, in case the Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the poor Clergy, shall, at the Time of such Conveyance, order out of their Revenue the Sum of Pounds, to be laid out for a perpetual Augmentation of the said Rectory of *Stowerbridge* aforesaid.

And it is hereby further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners and Trustees, any or more of them, and they are hereby authorized and required, any time after the passing this Act, by Writing under their Hands and Seals, to assign, set out and allot, and afterwards cause to be inclosed, at the Expence of the Inhabitants and Land-owners of and in the said intended Parish, to be raised as aforesaid, such further Parcel or Parcels, and Quantity of the Common or Waste Land or Ground lying within the said new extended Parish, on the South Side of the *Gigmill Pool* aforesaid, over and above the Land and Ground before-mentioned, as shall, after the same is so set out and inclosed, be of the like clear yearly Value of above all Reprizes; which last-mentioned Land or Ground, when so assigned, set out, allotted and inclosed, shall be, and is hereby, also vested in the said

vested in their Heirs, To the Use of them and their Heirs, In Trust nevertheless, that they, or the Survivor of them, or the Heirs of such Survivor, shall and do also well and sufficiently convey and assure the same Land, Ground and Premises, with their and every of their Appurtenances, except the afore-mentioned, unto and to the Use of the then Rector of the said new Church, and his Successors, Rectors of the same Church, for ever, to take Effect immediately upon such Conveyance made, in case the said Governors of Queen *Anne's* Bounty shall, at the Time of such Conveyance, order out of their Revenue the further Sum of to be laid out



out for a perpetual Augmentation of the said Rectory of *Stowerbridge* as  
said.

And it is hereby Enacted and Declared, That the assigning, alloting  
inclosing and conveying the said Two several Parcels of Land, so dire-  
to be inclosed, unto and for the Benefit of the Rector of the  
new Church, and his Successors, as aforesaid, shall be deemed, accep-  
and taken, as, for, and in the Nature of, Two voluntary Contributions  
proposed and made to the Governors of Queen *Anne's* Bounty, upon  
Encouragement of the several Acts of Parliament and Letters Patent made  
for the Augmentation of the Maintenance of the poor Clergy, and in  
intitle the said Rector, and his Successors, to such farther Augmentation  
of the Revenue of the said Corporation, as in and by the said Acts  
Parliament and Letters Patent are mentioned, appointed and prescribed.

And it is hereby further Enacted and Declared, That the said Land  
and Grounds so to be assigned, allotted and inclosed, unto and for the  
Benefit of the Rector of the said new Church, and his Successors, shall  
be held and enjoyed by him and them, freed, discharged and exempted from  
all Tythes, of what Kind or Nature soever, and from all Parochial Rates,  
Levies and Assessments whatsoever.

And it is hereby further Enacted, by the Authority aforesaid, That  
when and so soon as all or any of the said Parcels and Quantities of Land  
or Ground, so intended to be inclosed as aforesaid, shall be vested in the  
Rector of the said intended Church for the Time being, it shall and may  
be lawful to and for such Rector, and his Successors, from time to time  
to grant, lease and demise, the same unto any Person or Persons, for a  
Term not exceeding Years, to take Effect in Possession, and  
not in Reversion, so as upon every Lease so to be made, there be reserved  
and made payable during the Continuance thereof, unto the  
said Rector, and his Successors, the best and most approved yearly Rent  
that can be then reasonably had or gotten for the same, without taking a  
Fine, *Premium* or Foregift, and so as in every such Lease there be con-  
tained a Power of Re-entry for Non-payment of the Rent or Rents there-  
respectively to be reserved, and so as no Clause be contained in any such  
Lease giving Power to any Lessee to commit Waste, or exempting him, her  
or them from Punishment for committing the same, and so as the respec-  
tive Lessees execute Counter-parts of such Leases.

And it is hereby further Enacted, That there shall be paid by the Rector  
of the said new Church of *Stowerbridge*, and his Successors, unto the said *George Wigan*, and his Successors, Rectors of the  
Parish Church of *Old Swinford* aforesaid, for ever, (over and above the Tythe  
of the said new intended Parish herein after reserved to him and them) an  
annual Payment or yearly Sum of of lawful Money  
*Great Britain*, free from all Deductions and Defalcations whatsoever,  
in Consideration of, and as a Compensation for, such Diminution, as may  
happen in the Dues and Profits of the said Living or Benefice of *Old Swinford*  
by means of this present Act, the said Annuity or yearly Sum of  
to be paid



And it is hereby further Enacted, That all the *Easter* Offerings and Surplice Fees, arising and to arise within the said new intended Parish, shall, from and after the Consecration of the said new Church, belong, and be payable and paid to, and the same are hereby vested in, the Rector of the said new Church at *Stowerbridge* aforesaid, and his Successors, for ever, as fully and effectually and beneficially, to all Intents and Purposes, as the Rector of the Parish Church of *Old Swinsford* aforesaid now holds and enjoys, and is seized, possessed of, or intitled to the same.

provided always, and is hereby Enacted and Declared, That in case the said Annuity or yearly Rent of                      or any Part thereof, shall be behind or unpaid for the Space of                      Days next after any herein before limited and appointed for Payment thereof, then, and so often, it shall and may be lawful to and for the Rector of the said Church of *Old Swinford* for the Time being,

provided always, That nothing in this Act contained shall prejudice, impeach or defeat the Right, Title, Claim or Interest of the Vicar of *Old Swinford* afore said, or his Successors, to the Tythes arising, accruing or belonging to him and them respectively within the said Town and Township of *Stowerbridge*, hereby made and erected into a new, separate and distinct Parish as afore said.

And it is hereby further Enacted, That the said Town and Township, and the Inhabitants thereof, shall be subject and liable to, and charged and chargeable with, the Rates, Levies and Assessments for Repair of the said Parish Church of *Old Swinford*, in such and the same manner as they respectively were before the passing this Act, or would or ought to have been, in case this Act had not been made.

And be it further Enacted, by the Authority aforesaid, That the said new Church, and the Rectors thereof, and the Parish Clerk and Churchwardens of or belonging to the same for the Time being, shall be under and subject to the Metropolitan and Ordinary Jurisdiction of the Archbishop of *Canterbury*, and the Bishop of *Worcester*, for the Time being, and shall be visited in such manner as other Ecclesiastical Benefices with Cure have been, or may be, visited; and that nothing herein contained shall extend, or be construed to extend, in any sort, to affect, prejudice or impeach any of the Rights, Privileges, Powers or Authorities, of or belonging to the said Archbishop or Bishop, or any Archdeacon, Chancellor or Official, within the Diocese of *Worcester* aforesaid.

And be it further Enacted, by the Authority aforesaid, That from time to time, and at all times hereafter, when, and as the Trustees nominated and appointed by this Act, or to be elected in manner herein after-mentioned, shall,



shall, by Death, or refusing to act in the said Trust, be reduced in Number, it shall and may be lawful to and for the surviving Trustees, or any or more of them, and they are hereby required, to elect and appoint other fit and able Persons, inhabiting in the said new intended Parish of *Stower-bridge* aforesaid, or within of the same, in the room and stead of such of the said Trustees, as shall die, or refuse to act, as aforesaid; and all and every Person and Persons so to be nominated, elected and appointed, shall have the like Power and Authority, by virtue of this Act, as the Trustee or Trustees, in whose Place they succeed respectively, was or were vested with; and that this Act shall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever.



*A BILL for making the Town of Stowerbridge, in the County of Worcester, a separate Parish from the Parish of Old Swinford, in the said County; and for making a Provision for the Minister of the said new Parish; and for settling the Right of Presentation to the Church thereof.*



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